

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Per Martinsson, et al.  
Serial No. : 10/608,630  
For : WEAR LEVEL INDICATING FILAMENTS AND  
FABRICS (AND GUIDELINE APPLICATIONS)  
Filing Date : June 27, 2003  
Examiner : Andrew T. Piziali  
Group Art Unit : 1794  
Confirmation No. : 8456

745 Fifth Avenue  
New York, NY 10151

**FILED VIA EFS-WEB  
ON August 28, 2008**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31  
WITH APPLICANTS' PRE-APPEAL BRIEF REQUEST FOR REVIEW**

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's decision in the Final Office Action mailed May 28, 2008, finally rejecting claims 1, 3, 14-15, 17, 28, and 48. This Notice of Appeal is submitted in accordance with 37 C.F.R. § 41.31 and is accompanied by the requisite fee of \$510.00 for a large entity as set forth in 37 C.F.R. § 41.20. Filed concurrently with this Notice of Appeal is Applicants' separate paper entitled, "Pre-Appeal Brief Request for Review."

Please charge any additional fees required for the Notice of Appeal, or otherwise  
occasioned by this paper or credit any overpayments to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By:

  
Ronald R. Santucci  
Reg. No. 28,988

Telephone No.: (212) 588-0800  
Facsimile No.: (212) 588-0500